

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE CATHODE RAY TUBE (CRT))	Case No. CV-07-5944
ANTITRUST LITIGATION)	
)	MDL No. 1917
)	
_____)	REQUEST FOR INTERNATIONAL
This Document Relates to:)	JUDICIAL ASSISTANCE
)	
All Indirect-Purchaser Actions Including:)	(LETTER ROGATORY)
<i>Stack, et al., v. Chunghwa Picture Tubes, Ltd.,</i>)	
<i>et al., Case No. C08-1319-WBD</i>)	Honorable Samuel Conti
_____)	

The United States District Court Northern District of California presents its compliments to the Appropriate Judicial Authority of Taiwan, and requests international assistance to effect service of process to be used in a civil proceeding before this Court in the above captioned matter.

I. REQUEST

This Court respectfully requests the assistance described herein as necessary in the interests of justice. The assistance requested is that the Appropriate Judicial Authority of Taiwan effect Service of Process of (1) Complaint in *Stack, et al., v. Chunghwa Picture Tubes, Ltd., et al.,*

No. C-08-1319-WBD; (2) Summons in a Civil Case; (3) Civil Cover Sheet; (4) a copy of the Standing Order for all Judges of the Northern District of California, Contents of Joint Case Management Statement; (5) Dispute Resolution Procedures in the Northern District of California Handbook (“ADR Handbook”), and (6) the ECF Registration Information Handout; and (7) Certified Translations. This Court requests service of process on the below named business entity, a named defendant in this action:

Chunghwa Picture Tubes, Ltd.

No. 1127, Heping Rd.

Bade City, Taoyuan, Taiwan

The Appropriate Judicial Authority of Taiwan is requested to serve the documents listed above by personal service into the hands of a director, managing agent or other person authorized to accept service, or in a manner of service consistent with the laws of Taiwan. This Court further request that the judicial authorities of Taiwan return, through diplomatic channels to Plaintiffs’ attorney, the affidavit of service and a copy of the documents that were served.

II. FACT OF CASE

Plaintiffs William E. Stack and Margo Stack, for themselves and on behalf of a plaintiff class consisting of all persons and entities residing in the United States which, from at least May 1, 1998 through November 9, 2007, indirectly purchased in the United States, for their own use and not for resale, a cathode ray tube (“CRT”) or product containing a CRT (“CRT Product”) which was manufactured and/or sold by one or more of the Defendants. Defendants are the leading manufacturers of CRTs and CRT Products and control the majority of the CRT industry. Plaintiffs allege that Defendants conspired, combined and contracted to fix, raise, maintain, and stabilize the prices at which CRTs and CRT Products were sold in the United States in violation of Section 1 of the Sherman Antitrust Act, 15 United States Code Section 1, and in violation of Tennessee antitrust laws, Tenn. Code Ann §§ 47-25-101, *et seq.* For its injuries, Plaintiffs are requesting treble damages and an injunction enjoining defendants’ anti-competitive activity under Section 4

1 and 16 of the Clayton Act, 15 United States Code Section 15 and 26, and under Tenn. Code Ann
2 §§ 47-25-101, *et seq.*

3 **III. RECIPROCITY**

4 The United States District Court for the Northern District of California would be willing to
5 provide similar assistance to the Appropriate Judicial Authority of Taiwan.

6 **IV. REIMBURSEMENT FOR COSTS**

7 Counsel for Plaintiffs are willing to reimburse the judicial authorities of Taiwan for costs
8 incurred in executing this letter Rogatory. If the cost of executing this Court's Letter Rogatory
9 exceeds \$1,500.00, the judicial authorities of Taiwan are requested to contact the following
10 counsel for Plaintiffs:

11 Francis O. Scarpulla
12 Zelle Hofmann Voebel Mason & Gette LLP
13 44 Montgomery Street, Suite 3400, San Francisco, CA 94104.
14 Phone: (415) 693-0700; Fax: (415) 693-0770.

15 In acknowledgment of the additional time which is needed to prepare and file a responsive
16 pleading to the attached documents, the time period is extended to 45 days after service.

17 The Court extends to the Appropriate Judicial Authorities of Taiwan assurances of its
18 highest consideration.

19 DATED: _____

By: _____

20 The Honorable Samuel Conti
21 United States District Judge
22 450 Golden Gate Ave.
23 San Francisco, CA 94102
24 United States of America

25 #3172562v1